

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 09-56564

TYRONE A. PARIS, *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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ORDER DENYING MOTION FOR RECONSIDERATION

This case comes before the Court on Debtor's "Motion of Reconsideration for Denying Application to Pay Filing Fees in Installments," filed on June 18, 2009 (Docket # 21, the "Motion"), which this Court construes as a motion for reconsideration of the June 5, 2009 Order denying Debtor's application to pay the chapter 7 filing fee in installments (Docket # 14), and

The Court having reviewed and considered the Motion, and

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

In addition, the Court notes the following. First, the motion for reconsideration is now moot, because this case was dismissed by the Court's order filed on June 15, 2009. Second, to the extent the motion seeks a waiver of the filing fee for this case or any of Debtor's previous cases, it is not well taken because the Debtor never filed an application to waive the filing fee in this case; rather, he only filed a motion to pay the filing fee for this case in installments. The same is true with respect to the Debtor's other two, previous cases: in each of those Chapter 13 cases (Case Nos. 04-47200 and 07-62231), the Debtor never filed an application to waive the filing fee; rather, he only filed a motion to pay the filing fee in installments. And in Case No. 04-47200, the Court would not have had any authority to waive the filing fee in any event,

because that case was filed before the October 17, 2005 effective date of the 2005 amendments to the Bankruptcy Code.

NOW, THEREFORE,

IT IS ORDERED that the Motion (Docket # 21) is DENIED.

Signed on June 26, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge